

The Court's chambers contacted defense counsel and informed him that the necessary certification had not been included in the motion. Defendants then filed the discovery Motion docketed at Doc. #35. Upon review of this Motion, the Motion still does not include

a certification as mandated by Fed.R.Civ.P. 37(a)(1). Accordingly, Defendants' Motions to Compel Responses to First Request for Production of Documents and Request for Admission are denied. Said denial is without prejudice to Defendants to refile their discovery motion if it includes a certification as mandated by Fed.R.Civ.P. 37(a)(1).

AND NOW, this 26th day of October, 2010, it is hereby ORDERED, ADJUDGED, AND DECREED that Defendants' Motions to Compel Responses to First Request for Production of Documents and Request for Admission [Doc. ##33 and 35] are DENIED WITHOUT PREJUDICE.

Maurice B. Cohill, Jr.
Maurice B. Cohill, Jr.
Senior District Court Judge